

**MENOMINEE TRIBAL LEGISLATURE – REGULAR
NOVEMBER 4, 2010
MENOMINEE TRIBAL OFFICE BOARD ROOM
KESHENA, WI 54135
5:00 P.M.**

MEMBERS PRESENT:

Laurie A. Boivin, Tribal Chairwoman (*Late excused – in at 6:10 p.m.*)
Randal Chevalier
Lynnette A. Miller
Myrna R. Warrington
Lisa S. Waukau
Bruce J. Pecore
Kenneth A. Fish
David A. Miller (*Late excused – in at 5:30 p.m.*)
Rebecca D. Alegria

1. Call to Order – Roll Call

Vice-Chairman Randal Chevalier called the Meeting to order at 5:40 P.M. Roll Call was taken with a quorum present.

2. Menominee Prayer.

Legislator L. Miller said the Menominee Prayer.

3. Public Comment Period.

Legislator Fish requested that the tribal member comments be considered for Final Approval of agenda item number 17.

Tribal Member Tony Wilber – Wildlife Conservation Issue: *“He stated his comments are really related to the referendum. He is upset with the referendum that is brought forward by a group of people, and for being called a terrorist.”*

PLEASE NOTE: Legislator Fish requested to comment for the record that less than a week ago that they as a Legislature passed Wisconsin State mutual agreement with all other Tribe's. He stated that he voted for the agreement; however, if he had to do it over again, he would not have voted for that agreement, because we received the agreement at the meeting and there were issues within that agreement that should have been addressed; such as, we should reserve our rights to permit our roads that goes through the reservation. We're a non Public Law 280 Tribe in the State of Wisconsin, and I don't think that we should allow the State to permit through the reservation. What we did in affect was give the State of Wisconsin that authority, and we didn't try to negotiate that authority. He also believes that they as a Legislature should not be signing agreements at the last minute.

4. 1ST Consideration of Amendment to Ordinance No. 10-23 Residential Lease Requests.

MOTION BY LYNNETTE MILLER TO APPROVE 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 10-23 RESIDENTIAL LEASE REQUESTS AND SEND TO PUBLIC HEARING ON NOVEMBER 18, 2010 AT 4:30 P.M. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (BOIVIN & D. MILLER).

5. Final Approval of Ordinance No. 10-28 – Recreational Lease Requests to Tribal Members.

MOTION BY REBECCA ALEGRIA FOR FINAL APPROVAL OF MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-28 RECREATIONAL LEASE REQUESTS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (BOIVIN & D. MILLER).

6. 10-Day Waiver Request(s).

The MIEDA Board Chairman (Legislator Waukau) requested that the Tribe purchase this property to restore tourism back to the Keshena Falls area. She also informed the Legislature whenever there is a sale from a tribal member to a tribal member that the Tribe still retains all of our rights to properties. She reminded the Legislature that when they did their Economic Development Plan one of the areas they wanted to incorporate within that Plan was the development of a chartered district that would be made up of where our Treaties were signed in the 1800's, and Keshena Falls is one of the historical sites. She also inquired of the status and progress of the Land Acquisition Plan that was to be developed as well. It was mentioned that it has not been brought to Committee as of yet. There are no funds available to purchase the property; therefore, the Tribe opted to honor the Tribal members' request.

MOTION BY MYRNA WARRINGTON TO APPROVE THIS WAIVER (REGINALD HOUSE AND NATALIE MEYERS LOCATED AT W3329 KESHENA FALLS ROAD AND N1099 OSHKOSH ROAD, KESHENA, WI). SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (WAUKAU), AND 2 ABSENT (BOIVIN & D. MILLER).

PLEASE NOTE: Legislator Waukau qualified her abstention as follows: *"I'm abstaining because it's my auntie."*

PLEASE NOTE: *Legislator David Miller entered the meeting at 5:30 P.M.*

The Legislature questioned by they have to approve the sale of land and property from a tribal member to a tribal member. They decided to send Ordinance 83-05 back to Committee for further recommendations.

MOTION BY LISA WAUKAU THAT GOVERNMENTAL AFFAIRS COMMITTEE TO REVISIT ORDINANCE 83-5 AND SPECIFICALLY LOOK AT THE LANGUAGE OF OUR RIGHTS WHEN IT'S TRIBAL MEMBER TO TRIBAL MEMBER. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

MOTION BY KENNETH FISH TO AMEND THE MOTION THAT THERE WOULD BE NO INTERFERENCE FROM A FAMILY MEMBER TO ANY FAMILY MEMBER. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (D. MILLER), 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

PLEASE NOTE: Legislator D. Miller qualified his opposition as follows: *"as I previously stated a lot of times relations go a little bit further than immediate blood lines."*

7. Bid Recommendation for Neopit Pumphouse Construction.

The Legislature requested this bid to be sent out again to try and capture more Native American Contractors, and for the Bid Evaluation Team to contact those listed for approval if they would agree to hire Native American's.

MOTION BY REBECCA ALEGRIA TO TABLE AGENDA ITEM NUMBER 7. (BID EVALUATION TEAM TO AWARD THE NEOPIT PUMP HOUSE CONSTRUCTION). SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

8. Approval of January 15, 2011 Annual General Council Agenda.

MOTION BY KENNETH FISH TO APPROVE THE ANNUAL GENERAL COUNCIL AGENDA FOR SATURDAY, JANUARY 15, 2011 TO BEGIN AT 9:00 A.M. AS PRESENTED. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

9. Authorize Chairwoman to Send Letter to the State in Support of the Indigenous Games.

At the special meeting of the Tribal Legislature and the Menominee Indian Gaming Authority Board of Director's Artley Skenadore updated everyone present of the 2011 Indigenous Games that is coming to Milwaukee, WI. He requested that

Menominee send a formal letter of support to the State to utilize additional gaming revenues that is sent to the State by all Tribes annually.

MOTION BY REBECCA ALEGRIA TO AUTHORIZE TRIBAL CHAIRWOMAN LAURIE BOIVIN TO SEND A FORMAL LETTER TO MR. BRIAN VIGUE EXECUTIVE ASSISTANT TO THE DIVISION OF INTERGOVERNMENTAL RELATIONS IN SUPPORT OF THE 2011 U.S. INDIGENOUS GAMES. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

10. Approval of Memorandum of Agreement for Wisconsin Indian Tribal Community Reintegration Program.

MOTION BY MYRNA WARRINGTON TO APPROVE THE WISCONSIN INDIAN TRIBAL COMMUNITY REINTEGRATION PROGRAM – MEMORANDUM OF AGREEMENT (WITCRP-MOA), AND AUTHORIZE THE SIGNATURES. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

11. Approve Membership dues for the Intertribal Agriculture Council.

Legislator Fish requested that this be sent to the Forestry Committee for recommendations on how this would be beneficial to the Tribe.

Legislator Warrington does not support this membership, because they don't know anything about it.

Legislator Waukau supports it, and agrees with organic farming because that will be the farming of the future. She believes the Tribe needs to get acquainted with organic farming for better eating habits, but would like more information.

MOTION BY DAVID MILLER THAT WE AUTHORIZE \$200 FOR THE INTERTRIBAL AGRICULTURE COUNCIL MEMBERSHIP DUES TO COME FROM THE CHAIRMAN'S OFFICE. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (WARRINGTON), 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

PLEASE NOTE: Legislator Warrington qualified her opposition as follows: “We don't know what that \$200 is going to give us and I'd rather see that \$200 go out to someone else in the community.”

12. Resolution No. 10-___ Membership in the Intertribal Agriculture Council.

In order for the Tribe to be a member of the Intertribal Agriculture Council (IAC), the Tribe had to approve a resolution to be accompanied with the membership.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE INDIAN TRIBE OF WISCONSIN RESOLUTION NO. 10-67 MEMBERSHIP IN THE INTERTRIBAL AGRICULTURE COUNCIL WAIVE THE READING, AND AUTHORIZE TRIBAL CHAIRWOMAN LAURIE BOIVIN AND TRIBAL SECRETARY LYNNETTE MILLER TO SIGN. SECOND WAS MADE BY DAVID MILLER. THE MOTION IS CARRIED: 6 FOR, 1 OPPOSED (WARRINGTON), 0 ABSTENTIONS, AND 1 ABSENT (BOIVIN).

PLEASE NOTE: Legislator Warrington qualified her opposition as follows: “Same as previous.”

PLEASE NOTE: Chairwoman Boivin entered the meeting at 6:10 P.M.

13. Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.

MOTION BY KENNETH FISH TO ENTERTAIN ITEMS FOR “OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:” – 1) A PROCLAMATION NAMING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH; 2) VETERAN'S AD HOC

RECOMMENDATIONS OF OCTOBER 28, 2010; 3) ADD TO EXECUTIVE SESSION UNDER LEGAL (A) (1) JURISDICTIONAL ISSUES; 4) \$50 GIFT CARD FOR TRIBAL MEMBERS SINCE NO STUMPAGE OR PER CAPITA PAYMENT; 5) PURCHASE OF FLAGS FOR MUSEUM; & 6) TRIBAL CONSULTATION FOR FORESTRY SERVICE PLANNING DURING NCAI. SECOND WAS MADE BY BRUCE PECORE. THE MOTION IS CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

1) A Proclamation Naming November as Native American Heritage Month;

MOTION BY MYRNA WARRINGTON TO APPROVE THE PROCLAMATION WITH CORRECTIONS. (NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH) SECOND WAS MADE BY BRUCE PECORE. THE MOTION IS CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) Veteran's Ad-Hoc Recommendations of October 28, 2010;

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE VETERAN'S AD-HOC RECOMMENDATION OF OCTOBER 28, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE TO RECOMMEND TO ALL THE TRIBAL EMPLOYEES TO SHOW THEIR SUPPORT FOR OUR VETERAN'S BY TAKING PART IN THE VETERAN'S DAY CEREMONY. (11TH MONTH, 11TH DAY, AND 11TH HOUR). NO SECOND NECESSARY. THE MOTION IS CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

3) Add to Executive Session under Legal (A) (1) Jurisdictional Issues;

This will be discussed during Executive Session.

4) \$50 Gift Card for Tribal Members since no Stumpage or Per Capita Payment;

MOTION BY KENNETH FISH THAT SINCE THERE IS NO STUMPAGE PAYMENTS OR PER CAPITA PAYMENTS THAT WE WOULD GIVE EVERY ADULT TRIBAL MEMBER A \$50 GIFT CARD, AND ANY OTHER ADDITIONAL FEES TO COME OUT OF RESERVES. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION IS CARRIED: 7 FOR, 1 OPPOSED (PECORE), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Pecore qualified his opposition as follows: "I think we should look long term and look at keeping that amount of money here in reserves, because that money will be used for Tribal Programs for the majority of Tribal programs are used on the reservation for the people already."

MOTION BY LISA WAUKAU THAT THE CHAIRMAN WRITE A LETTER TO MTE RECOMMENDING THAT THEY MATCH THE TRIBE IN THIS \$50 GIFT CARD TO TRIBAL MEMBERS. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

5) Purchase of Flags for Museum; &

MOTION BY LISA WAUKAU THAT WE FUND FOR THE NEW LOGGING MUSEUM \$71.58 FOR THE POW MIA (1- 3 X 5) FLAGS AND THE ARRANGEMENTS FOR THE MONEY TO COME OUT OF THE CHAIRMAN'S BUDGET. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

6) Tribal Consultation for Forestry Service Planning during NCAI.

MOTION BY RANDAL CHEVALIER THAT THE CHAIRWOMAN ATTEND THE NATIONAL FOREST SERVICE CONFERENCE AT NCAI ON NOVEMBER 17TH FROM 7:30 – 9:30 P.M. AND THAT THE TRUST RESOURCES DEPARTMENT DIRECTOR PROVIDE YOU WITH THE INFORMATION. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION IS CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

14. 1st Consideration of Amendment to Ordinance No. 96-10 Investment Plan Authorization.

MOTION BY LISA WAUKAU TO APPROVE THE 1ST READ FOR AMENDMENT TO ORDINANCE NO. 96-10 INVESTMENT PLAN AUTHORIZATION AND SEND TO PUBLIC HEARING ON NOVEMBER 18, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

15. 1st Consideration of Amendment to Ordinance No. 10-22 FY' 2011 Menominee Tribal Clinic Third- Party Revenue Appropriations.

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 10-22 FISCAL YEAR 2011 MENOMINEE TRIBAL CLINIC THIRD-PARTY REVENUE APPROPRIATIONS, AND SEND IT TO PUBLIC HEARING ON NOVEMBER 18, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION IS CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

16. Final Approval of Repeal to Ordinance No. 82-12 Bingo Control & Regulation Ordinance.

MOTION BY LYNNETTE MILLER FOR FINAL APPROVAL OF REPEAL OF ORDINANCE NO. 82-12 BINGO CONTROL AND REGULATION ORDINANCE. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

17. Final Approval of Ordinance No. 10-26 Menominee Preference in Contracting.

MOTION BY KENNETH FISH FOR FINAL APPROVAL OF ORDINANCE NO. 10-26 MENOMINEE PREFERENCE IN CONTRACTING, AND THAT A DIRECTIVE BE GIVEN TO THE GOVERNMENTAL AFFAIRS COMMITTEE TO TAKE ALL THE COMMENTARY ON THE ORDINANCE AND ADDRESS THOSE COMMENTARIES AND HAVE IT BACK TO THE LEGISLATURE IN NINETY (90) DAYS OR SOONER FOR A POSSIBLE AMENDMENT TO THE ORDINANCE. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Administrative Manager, Jeremy Weso recommended to add those extra duties to the Tax Commissioner's job description. The Tax Commissioner's new rate of pay will be reconsidered after he fills out a CPQ form to be re-evaluated on his current salary with the additional duties added.

MOTION BY KENNETH FISH TO APPOINT WAYNE WILBER, TAX COMMISSIONER TO SERVE AS THE COORDINATOR UNDER THAT ORDINANCE (10-26 MENOMINEE PREFERENCE IN CONTRACTING). SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

18. Approval of Minutes: 1) March 18, 2010 – Regular; 2) September 18, 2010 – General Council on FMP; 3) September 18, 2010 – Special Joint; 4) September 23, 2010 – Special Joint; 5) September 29, 2010 – Special.

1) March 18, 2010 – Regular;

MOTION BY RANDAL CHEVALIER TO APPROVE THE REGULAR MENOMINEE TRIBAL LEGISLATURE MEETING MINUTES OF MARCH 18, 2010 WITH CORRECTIONS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) September 18, 2010 – General Council on FMP;

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF THE MEETING MINUTES OF THE GENERAL COUNCIL ON THE FMP WITH CORRECTIONS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

3) September 18, 2010 – Special Joint;

MOTION BY LYNNETTE MILLER TO APPROVE THE SPECIAL MEETING MINUTES OF THE MENOMINEE TRIBAL LEGISLATURE AFTERNOON MEETING (MIEDA BOARD OF DIRECTOR'S) OF SEPTEMBER 18, 2010 WITH ANY POTENTIAL CORRECTIONS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 1 ABSTENTION (D. MILLER), AND 0 ABSENT.

PLEASE NOTE: Legislator D. Miller qualified his abstention as follows: "*excused absence.*"

4) September 23, 2010 – Special Joint;

MOTION BY BRUCE PECORE TO APPROVE THE SPECIAL JOINT MEETING MINUTES OF THE MENOMINEE TRIBAL LEGISLATURE AND THE MENOMINEE COUNTY BOARD OF SUPERVISORS OF SEPTEMBER 23, 2010 WITH ANY POTENTIAL CORRECTIONS. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 2 ABSTENTIONS (D. MILLER & WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Legislator D. Miller qualified his abstention as follows: "*excused absence.*"

Legislator Waukau qualified her abstention as follows: "*excused absence.*"

5) September 29, 2010 – Special.

MOTION BY REBECCA ALEGRIA TO APPROVE THE MENOMINEE TRIBAL LEGISLATURE SPECIAL MEETING MINUTES ON THE BUDGET OF SEPTEMBER 29, 2010 WITH ANY CORRECTIONS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

19. Legislative Time on Task Reports.

MOTION BY BRUCE PECORE TO APPROVE THE RESULTS ACTIONS OF ITEMS 47 – 50 OF THE LEGISLATIVE TIME ON TASK REPORTS. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

20. Travel Authorization Requests.

There were no travel authorization requests made at this time.

21. Committee Reports and Recommendations

a. Budget & Finance Committee of October 19, 2010.

i. Request Approval to Move Agency Bank Account.

MOTION BY LISA WAUKAU TO CONCUR WITH THE BUDGET AND FINANCE COMMITTEE OF OCTOBER 19, 2010 TO RECOMMEND TO THE LEGISLATURE TO MOVE THE COURTHOUSE AGENCY ACCOUNT TO EITHER ASSOCIATED BANK OR CO VANTAGE CREDIT UNION; INTO A MONEY MARKET ACCOUNT, OR A CERTIFICATE OF DEPOSIT ACCOUNT. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

ii. Request Approval to Move the Alternative Agency Bank Account.

MOTION BY LISA WAUKAU TO CONCUR WITH THE BUDGET AND FINANCE COMMITTEE OF OCTOBER 19, 2010 TO RECOMMEND TO THE LEGISLATURE TO MOVE THE ALTERNATIVE AGENCY ACCOUNT TO EITHER ASSOCIATED BANK OR CO VANTAGE CREDIT UNION; INTO A MONEY MARKET ACCOUNT, OR A CERTIFICATE OF DEPOSIT ACCOUNT. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY KENNETH FISH THAT BASED ON MOTION 1 & 2 (BUDGET AND FINANCE COMMITTEE OF OCTOBER 19, 2010) THAT THE FINANCE DIRECTOR RESEARCH THE BEST ALTERNATIVE AND REPORT BACK TO THE LEGISLATURE AS TO WHERE THE MONEY IS DEPOSITED AND WHAT THE RATES ARE AT THE NEXT MEETING. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

b. Health and Family Committee of October 19, 2010.

i. Request Approval to the Wolf River Adult Day Services Policies; &

MOTION BY REBECCA ALEGRIA TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE OF OCTOBER 19, 2010 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE WOLF RIVER ADULT DAY SERVICES POLICIES, (WHICH INCLUDES THE RESPITE CARE POLICY), WITH THE CORRECTIONS AND CHANGES. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

ii. Request Approval to the Position Paper.

MOTION BY REBECCA ALEGRIA TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE OF OCTOBER 19, 2010 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE POSITION PAPER ON THE EXPANSION NEEDS OF THE FOOD DISTRIBUTION FACILITY. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

c. Human Services Planning Committee of October 19, 2010.

i. Request Review of Unsafe Living Conditions of the Elderly.

MOTION BY RANDAL CHEVALIER TO CONCUR WITH THE MENOMINEE TRIBE/COUNTY HUMAN SERVICES PLANNING COMMITTEE OF OCTOBER 19, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE TO LOOK AT THE UNSAFE LIVING CONDITIONS OF THE ELDERS IN THIS COMMUNITY. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

The Tribal Legislature discussed our Tribal Elders current living conditions, and how some are very unsafe or should not be habitable. What they found out is that our Elders pride is very significant, and most refuse to ask for assistance to remodel their current living conditions. They felt that our programs should look into this issue and report back to the Legislature on how they could have safer living conditions for our Elder's and handicapped.

MOTION BY RANDAL CHEVALIER THAT WE DIRECT THE HOUSING DEPARTMENT, THE MENOMINEE AGING DIVISION, AND THE ENVIRONMENTAL SERVICES DEPARTMENT TO MEET TO DISCUSS THE ELDER HOUSING SITUATION AND BRING BACK RECOMMENDATIONS TO THE MTL IN THIRTY (30) DAYS. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

d. Tribal Forestry Committee of October 25, 2010.

i. Request MTL/MTE Chairs to Review 638 Funding Shortfalls;

PLEASE NOTE: Legislator Pecore left the meeting at 8:45 P.M.

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE FORESTRY COMMITTEE OF OCTOBER 25, 2010 TO RECOMMEND TO THE LEGISLATURE TO HAVE THE TWO (2) CHAIRMAN'S (MTL AND MTE) BEGIN WORK ON THE 638 FUNDING SHORTFALL WITH RESPECT TO FOREST MANAGEMENT. NO SECOND NECESSARY. THE MOTION IS CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

- e. Community Funding Review and Selection Panel of October 26, 2010.
 - i. Request Approval of Panel By-Laws.

MOTION BY RANDAL CHEVALIER THAT WE APPROVE THE BY-LAWS AS AMENDED BY THE COMMUNITY FUNDING REVIEW AND SELECTION PANEL OF TUESDAY, OCTOBER 26, 2010. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION IS CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

22. 2010 Legislative Goals Progress Reports.

PLEASE NOTE: *Legislator Pecore re-entered the meeting at 8:50 P.M.*

The Legislature updated each other on the progress they have reached thus far. There was no action required at this time.

23. As per LRP 5.03 – EXECUTIVE SESSION: (A) Legal; (B) Personnel; & (C) Gaming – 1) Kenosha Project Update; & 2) MIGA Board Update.

MOTION BY LISA WAUKAU TO GO INTO EXECUTIVE SESSION. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

***** EXECUTIVE SESSION WAS NOT RECORDED *****

MOTION BY DAVID MILLER TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY RANDAL CHEVALIER FOR THE 10:00 P.M. RULE. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- (A) Legal;
 - (1) Jurisdictional Issues;

MOTION BY KENNETH FISH ON THE OSHA REQUEST THAT THE CHAIRMAN DIRECT THE DIRECTOR OF LEGAL SERVICES AND REQUEST THAT JERRY STRAUS DELIVER AN OPINION ON THE APPLICABILITY OF OSHA ON THE RESERVATION IN OUR FORESTS AND THAT OPINION COME BACK TO THE TRIBE ASAP. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- (B) Personnel; &

There was no motion made after coming out of Executive Session.

- (C) Gaming
 - 1) Kenosha Project Update; &

MOTION BY BRUCE PECORE TO APPROVE THE MOHEGAN REIMBURSEMENT AGREEMENT AS PRESENTED TO THE LEGISLATURE WITH THE ZERO PERCENT ON THE PAYMENT. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- 2) MIGA Board Update.

MOTION BY BRUCE PECORE THAT THE MENOMINEE TRIBAL LEGISLATURE DEEMS DELETION OF SECTION XXXVII; THE REMOVAL OF ANY DUPLICATE PROVISIONS, AND THE REMOVAL OF THE REQUIREMENT THAT GAMING TESTS LABS AND TRIBAL AUDITORS BE LICENSED BY THE STATE TO

BE NON-SUBSTANTIVE CHANGES TO THE AMENDMENT APPROVED BY RESOLUTION 10-61, AND CERTIFIES THAT RESOLUTION 10-61 CONSTITUTES APPROVAL OF THIS AMENDMENT PURSUANT TO TRIBAL LAW. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

24. Adjournment.

MOTION BY BRUCE PECORE/MYRNA WARRINGTON TO ADJOURN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Meeting Adjourned at 10:10 P.M.

Respectively submitted by,

A handwritten signature in cursive script that reads "Debra A. Bowman".

Debra A. Bowman, Recorder/Transcriber
EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE